

# 91st Illinois General Assembly Senate Transcript

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STATE OF ILLINOIS  
91ST GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

55th Legislative Day

November 4, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? And will our guests in the gallery please rise? Our prayer today will be given by the Reverend Jeff Chitwood, South Side Christian Church, Springfield, Illinois. Reverend Chitwood.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

Message from the President.

Dear Mr. Secretary - Please be advised that I have replaced Senator Dillard with Senator Maitland on the Senate Rules Committee effective immediately.

Signed by President Philip, dated November 2nd, 1999.

PRESIDENT PHILIP:

IIS has requested to videotape our proceedings today. Is there any objections? Any objection? If not, so ordered. Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Wednesday, May 26th, and Thursday, May 27th, 1999.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the

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Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journals just read. There being no objection, so ordered. House Bills 1st Reading.

SECRETARY HARRY:

House Bill 775, offered by Senator Philip.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Hello, Mr. -- hello, Mr. President. Wish the record to reflect that Senator Obama is absent today due to personal business.

PRESIDENT PHILIP:

Okay. The record will so indicate Senator Obama is absent with good cause. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 41, offered by Senator Watson.

Senate Joint Resolution 42, offered by Senators Hawkinson, Sieben, Shadid and others.

And Senate Joint Resolution 43, offered by Senator del Valle. They're all substantive, Mr. President.

PRESIDENT PHILIP:

Messages.

SECRETARY HARRY:

Message from the Secretary of State, dated September 17th, 1999.

To the Secretary of the Senate - This office is forwarding herewith copies of State Senator Jim Rea's letter of resignation and the Democratic Legislative Committee's notice

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declaring a vacancy in the office of State Senator in the 91st General Assembly for the 59th Legislative District, as a result of the resignation of Senator Jim Rea. Also enclosed are copies of the Democratic Legislative Committee's Certificate of Appointment of Ned Mitchell, 402 South Moore Street, Sesser, Illinois, to the office of State Senator in the 59th Legislative District and his Oath of Office.

Yours truly, Jesse White, Secretary of State.

Message from the Minority Leader.

Dear Mr. Secretary - Please be advised that I have made the following appointments, to be effective immediately, to the 91st General Assembly Standing Committees: to the Committee on Financial Institutions - Senator Kimberly Lightford, Minority Spokesperson, and Senator Ned Mitchell; and to the Committee on Public Health and Welfare - Senator Ned Mitchell.

The letter signed by Senator Jones, dated September 28th, 1999.

A Message from the Secretary of State.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills from the 91st General Assembly as vetoed by the Governor, together with his objections:

Senate Bills 44, 125, 233, 324, 397, 483, 547,  
561, 562, 572, 678, 728, 751, 756, 786, 794, 805, 812, 867, 943

and 1141.

Dated November 4th, 1999. Respectfully, Jesse White, Secretary of State.

Another Message from the Secretary of State.

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills that are being returned by the Governor

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with specific recommendations for change:

Senate Bills 94, 223, 423, 451, 464, 653, 801, 818, 845, 847, 1068, 1085, 1136 and 1155.

Dated November 4th, 1999. Respectfully, Jesse White, Secretary of State.

A Message from the State Superintendent of Education, Glenn W. McGee, dated September 30th, 1999.

Enclosed with this memorandum is the ninth report detailing applications for waivers and modifications of mandates contained in the School Code and administrative rules. This report contains twenty-two waiver applications and two appeals that are subject to review and consideration by the General

Assembly. I believe the two appeals, as well as a request dealing with instructional time, merit serious review and recommend that you disapprove these. A description of each follows.

Message for the Governor by Charles Woodward, Director, Legislative Affairs, November 4th, 1999.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 91st General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments of your Honorable Body.

George H. Ryan, Governor.

PRESIDENT PHILIP:

Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Yeah. Thank you, Madam -- Mr. President. I'd just like to introduce to the Body the new Member on this side of the aisle who took the former Senator Jim Rea's place, and that's Ned Mitchell, the new Senator from the 59th District. Where are you? Where are

you?

PRESIDENT PHILIP:

Introduction of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1246, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 1247, offered by Senator Shadid.

(Secretary reads title of bill)

Senate Bill 1248.

(Secretary reads title of bill)

Senate Bill 1249, offered by Senator del Valle.

(Secretary reads title of bill)

Senate Bill 1250, offered by Senator Link.

(Secretary reads title of bill)

Senate Bill 1251, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 1252, offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 1253, offered by Senator Bomke.

(Secretary reads title of bill)

Senate Bill 1454 {sic} (1254), offered by Senators Bomke,  
Maitland, Donahue and Luechtefeld.

(Secretary reads title of bill)

Senate Bill 1255, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 1256, offered by Senators Obama, Viverito,  
Halvorson, Lisa Madigan and Silverstein.

(Secretary reads title of bill)

Senate Bill 1257, offered by Senators Obama, Viverito,

Halvorson, Lisa Madigan and Silverstein.

(Secretary reads title of bill)

Senate Bill 1258, offered by Senator Parker.

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(Secretary reads title of bill)

Senate Bill 1259, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 1260, offered by Senator Radogno.

(Secretary reads title of bill)

Senate Bill 1261, offered by Senators Philip and Fawell.

(Secretary reads title of bill)

Senate Bill 1262, offered by Senator Cronin.

(Secretary reads title of bill)

Senate Bill 1263, offered by Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1264, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 1265, offered by Senator Noland.

(Secretary reads title of bill)

Senate Bill 1266, offered by Senator Watson.

(Secretary reads title of bill)

Senate Bill 1266, offered by Senator Watson.

(Secretary reads title of bill)

Senate Bill 1267, offered by Senator Watson.

(Secretary reads title of bill)

Senate Bill 1268, offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 1269, offered by Senator O'Malley.

(Secretary reads title of bill)

And Senate Bill 1270, offered by Senator O'Malley.

(Secretary reads title of bill)

1st Reading of the bills.

Senate Bill 1271, offered by Senators Klemm and Philip.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

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Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 157, offered by Senator Clayborne and all  
Members.

Senate Resolution 158, offered by Senator Peterson and all

Members.

Senate Resolution 159, offered by Senator Shaw and all Members.

Senate Resolution 160, offered by Senator Link and all Members.

Senate Resolution 161, offered by Senator Link and all Senators.

Senate Resolution 162, offered by Senator Hawkinson and all Members.

Senate Resolution 163, offered by Senator Dillard and all Members.

Senate Resolution 164, offered by Senator Clayborne and all Members.

Senate Resolution 165, offered by Senator Clayborne and all Members.

Senate Resolutions 166, 167, 168 and 169, all offered by Senator Lauzen and all Members.

Senate Resolution 170, 171, both offered by Senator Clayborne and all Members.

Senate Resolution 172, offered by Senators O'Malley, Mahar and all Members.

Senate Resolution 173, offered by Senator Clayborne and all Members.

Senate Resolution 174, offered by Senator Lauzen and all Members.

Senate Resolution 175, offered by Senator Geo-Karis and all Members.

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Senate Resolution 176, offered by Senator Viverito and all Senators.

Senate Resolution 177, offered by Senator Shaw and all Members.

Senate Resolution 178 and Senate Resolution 179, Senate Resolution 180, all offered by Senators Clayborne -- Senator Clayborne and all Members.

Senate Resolution 181, offered by Senator Robert Madigan and all Members.

Senate Resolution 182, 183 and 184, all offered by Senator Lauzen and all Senators.

Senate Resolution 185, offered by Senator Geo-Karis and all Members.

Senate Resolution 186, sponsored by Senator Lauzen and all Members.

Senate Resolution 187, offered by Senator Hawkinson and all Members.

Senate Resolution 188, offered by Senator Noland and all Senators.

Senate Resolution 189, 190, 191, all offered by Senators -- Senator Dillard and all Members.

Senate Resolution 192 and 193, offered by Senator O'Malley and all Members.

Senate Resolution 194, offered by Senator Clayborne and all Members.

Senate...

PRESIDENT PHILIP:

Could we have a little peace and quiet?

ACTING SECRETARY HAWKER:

Senate Resolutions 195 and 196, offered by Senator O'Malley and all Members.

Senate Resolution 197, offered by Senator Lauzen and all

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Members.

Senate Resolution 198, offered by Senator O'Malley and all Members.

Senate Resolutions 199 -- pardon me, that's 199, offered by Senator Sullivan and all Members.

Senate Resolution 200, offered by Senators Sullivan and Wendell Jones and all Members.

Senate Resolution 201, offered by Senator Sullivan and all Members.

They're all death resolutions.

PRESIDENT PHILIP:

Consent Calendar. Now, WAND-TV Channel 17 has requested permission to videotape. Is leave granted? Leave is granted. And then, we -- we have a ex-Member of the Illinois Senate walking around today: Judge Tom Dunn. Judge, it's nice to see you here today. You're always welcome back. Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. Earlier, you know, I -- I wanted to introduce to the Body the new Member but evidently the new Member had -- was being initiated into the "Coal Brothers" Club. But he's -- he's on the Floor now, and that's none other than Ned Mitchell, new Senator from the 59th District.

PRESIDENT PHILIP:

Ned, glad to have you here. Now, I've met Ned before, because I hunt down in his district. So we're old friends, and happy to have you aboard. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 202, offered by Senators Noland, Radogno, Sullivan, Donahue and others.

Senate Resolution 203, offered by Senator Parker.

Senate Resolution 204, offered by Senators Welch, Emil Jones,

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O'Daniel, Larry Walsh and others.

And Senate Resolution 205, offered by Senator Dillard.

They are all substantive.

PRESIDENT PHILIP:

Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Education Committee - Senate Joint Resolution 41; refer to Insurance and Pensions Committee - Motion to Concur with House Amendment No. 3 to Senate Bill 1103; refer to Judiciary Committee - House Bills 775 and -- and Senate Bill 1231; refer to Local Government Committee - House Bill 1276; refer to Public Health and Welfare Committee - House Bill 2773; refer to State Government Operations Committee - House Bill 1852; and Be Approved for Consideration - House Bills 809, 1113, 1175, and Senate Bills 677, 239 and 1103.

Filed by Senator Weaver, November 4th.

PRESIDENT PHILIP:

Motions.

ACTING SECRETARY HAWKER:

The following Members filed the following motions on respect to Governor's action: Senate Bill 1233 {sic} (233), offered by Senator Patrick Welch; Senate Bill 423, offered by Senator John Maitland; Senator -- Senate Bill 451, offered by Senator Berman; Senate Bill 454 -- pardon me, 464, offered by Senator Watson;

Senate Bill 751, offered by Senator Maitland; Senate Bill 801, offered by Senator Robert Madigan; Senate Bill 786, offered by Senator Parker; Senate Bill 812, offered by Senator Cronin; Senate Bill 818, offered by Senator Parker; Senate Bill 845, offered by Senator O'Malley; Senate Bill 847, offered by Senator del Valle; Senate Bill 1068, offered by Senator Robert Madigan; Senate Bill

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1085, offered by Senator Philip; Senate Bill 1141, offered by Senator Rauschenberger; and Senate Bill 1155, offered by Senator Lauzen. Actually, I have an additional motion on -- and an additional motion on Senate -- House Bill 1812, offered by Senator Lauzen.

PRESIDENT PHILIP:

Madam Secretary, the Chair requests these motions be printed on the Calendar. So ordered. Now, may I have your attention just for a few short minutes? May I have your attention just for a minute? Jim Harry, you know, has worked long and hard in the Senate. He's done a great job as Secretary of the Senate. He belongs to a national organization, the American Society of Legislative Clerks and Secretaries, and has just been elected their president. So... To -- to my knowledge, it's the first

time that we've ever had the national president from Illinois, so I'm very proud of that. He's done a great job here and we wish him well. Now -- now I would remind the Members to file their motions as soon as possible. My intention is, when we come back on Tuesday, November 16th, to bring up those motions that you have filed. So if you want to get your motion heard, I would suggest you file it today. Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution -- 206, offered by Senator Jones, Demuzio and all Members.

Senate Resolution 207, offered by Senator Demuzio.

Senate Resolution 708 -- pardon me, those are -- those are 207, 208 and 209 -- 207 and 208, offered by Senator Demuzio.

They're death resolutions.

And Senate Joint Resolution 44, offered by Senator Demuzio. They're all death resolutions.

PRESIDENT PHILIP:

Consent Calendar. Introduction of Bills.

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ACTING SECRETARY HAWKER:

Senate Bill 1272, offered by Senator O'Malley.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

We will now proceed to the Order of Resolutions Consent Calendar. With the leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. {sic} Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

ACTING SECRETARY HAWKER:

We've had no objections filed.

PRESIDENT PHILIP:

Is there any discussion? Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor will signify by saying Aye. Those opposed, Nay. The motion carries. The resolutions are adopted. May I have your attention for one minute? At this point, the Senate has concluded its work for today. It's the intention of the Chair to stay in recess for the purpose of receiving committee reports and other paperwork. And the Senate will adjourn till noon, Tuesday, November 16th. So the Senate will stand at the call of the Chair. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Thank you, Mr. President, and to each of you, I want to say hello, nice to see you. I want to announce that the Democratic -- will have a caucus in the President's Office concluding this Session.

PRESIDENT PHILIP:

I -- I hope in the Minority Leader's Office.

SENATOR SMITH:

Yes. Minority's.

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PRESIDENT PHILIP:

Thank you.

SENATOR SMITH:

Thank you. The Democratic. Thank you.

PRESIDENT PHILIP:

Senator Karpel.

SENATOR KARPIEL:

Thank you -- thank you, Mr. President. I'd like to announce a Republican Caucus immediately in Senator Philip's Office. A Republican Caucus immediately in Senator Philip's Office.

PRESIDENT PHILIP:

All right. The Senate will stand in recess at the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

SECRETARY HARRY:

Senate will come to order. On the Order of Committee Reports:

Senator Klemm, Chair of the Committee on Executive, reports  
House Bill 1628 Do Pass, as Amended.

...there's no further business to come before the Senate,  
prior to the earlier announcement of the Chair, the Senate will  
reconvene at noon on November 16th. The Senate stands adjourned.